

April 9, 2003

CHAIR
ARLENE SCHAFER
DIRECTOR
COSTA MESA
SANITARY DISTRICT

TO: Local Agency Formation Commission

FROM: Executive Officer

VICE CHAIR
CHARLES V. SMITH
SUPERVISOR
FIRST DISTRICT

SUBJECT: Settlement and Mutual Release Agreement - Rosenow Spevacek Group

RANDAL J. BRESSETTE
COUNCILMAN
CITY OF LAGUNA HILLS

Background

PETER HERZOG
COUNCILMAN
CITY OF LAKE FOREST

In June 2002, your Commission approved a contract with the Rosenow Spevacek Group (RSG) to provide consulting services for the Unincorporated Islands Program. The existing contract between LAFCO and RSG is for an amount not-to-exceed \$20,000. The project manager for this contract was Dan Miller. Mr. Miller departed RSG at the beginning of June, 2002 and the project was handed off to other various RSG employees. Under this contract, RSG's primary task was to prepare fiscal analyses for the Anaheim, Huntington Beach, Placentia and Stanton small islands. Additionally, RSG's prepared and mailed public hearing notices on LAFCO's behalf. State law requires LAFCO to notify each registered voter and landowner within island annexation territories plus a surrounding 300 feet radius.

SUSAN WILSON
REPRESENTATIVE OF
GENERAL PUBLIC

THOMAS W. WILSON
SUPERVISOR
FIFTH DISTRICT

LAFCO staff was made aware that RSG had exceeded the amount of the contract in November of 2002. The cost of the extensive noticing requirements were partially responsible for the contract amount being exceeded. LAFCO staff has met with RSG and we have mutually agreed to the terms of the attached settlement agreement.

JOHN B. WITHERS
DIRECTOR
IRVINE RANCH WATER
DISTRICT

ALTERNATE
ROBERT BOUER
MAYOR
CITY OF LAGUNA WOODS

ALTERNATE
RHONDA McCUNE
REPRESENTATIVE OF
GENERAL PUBLIC

Recommendation

Approve the Settlement and Mutual Release Agreement (attached) with Rosenow Spevacek Group for \$10,909.13.

ALTERNATE
JAMES W. SILVA
SUPERVISOR
SECOND DISTRICT

Respectfully submitted,

ALTERNATE
CHARLEY WILSON
DIRECTOR
SANTA MARGARITA
WATER DISTRICT

Dana M. Smith

DANA M. SMITH
EXECUTIVE OFFICER

Attachment